

ORIGINAL



0000114001

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

2010 JUL 12 P 4: 35

AZ CORP COMMISSION
DOCKET CONTROL

2 **COMMISSIONERS**
3 **KRISTIN K. MAYES, CHAIRMAN**
4 **GARY PIERCE**
5 **PAUL NEWMAN**
6 **SANDRA D. KENNEDY**
7 **BOB STUMP**

8 **IN THE MATTER OF THE**
9 **APPLICATION OF NAVOPACHE**
10 **ELECTRIC COOPERATIVE, INC. AN**
11 **ARIZONA NON-PROFIT**
12 **CORPORATION, FOR APPROVAL**
13 **OF A RUS GUARANTEED FFB**
14 **LOAN IN THE AMOUNT OF**
15 **\$33,231,000 TO FUND**
16 **CONSTRUCTION OF FACILITIES**

DOCKET NO. E-01787A-05-0719

STIPULATED REQUEST TO VACATE
HEARING AND EXPEDITE APPROVAL OF
NAVOPACHE ELECTRIC COOPERATIVE,
INC.'S APPLICATION TO AMEND
DECISION NO. 68691

17 The International Brotherhood of Electrical Workers Local 387 and Navopache
18 Electric Cooperative, Inc., by and through their attorneys undersigned, hereby stipulate, agree
19 as follows.

- 20 1. The hearing in this matter currently set for Wednesday, July 14, 2010 be
21 vacated as unnecessary;
- 22 2. The Commission, and its Staff, expeditiously process and approve
23 Navopache's application to amend Decision No. 68691 to permit the use of
24 up to \$7,000,000 in loan proceeds for the design, development and
25 construction of new Operation Facilities;

Arizona Corporation Commission

DOCKETED

JUL 12 2010

DOCKETED BY	
-------------	--

1 3. The proposed and final form of order contain the following finding of fact:

2 IBEW Local 387 has raised concerns regarding the
3 long term financial health of Navopache without an
4 increase in rates. Navopache has committed to hire an
5 outside consultant to evaluate the need for an adjustment
6 in its rates and recommend to Navopache's Board of
7 Directors whether a rate application should be filed with
8 the Arizona Corporation Commission on or before July 1,
9 2011.

10 RESPECTFULLY SUBMITTED this 12th day of July, 2010.

11 CURTIS, GOODWIN, SULLIVAN
12 UDALL & SCHWAB, P.L.C.

13 By 

14 Michael A. Curtis
15 William P. Sullivan
16 501 East Thomas Road
17 Phoenix, Arizona 85012-3205
18 Attorneys for Navopache Electric
19 Cooperative, Inc.

20 LUBIN & ENOCH, P.C.

21 By 

22 Nicholas J. Enoch
23 Jarrett Haskovec
24 349 North Fourth Avenue
25 Phoenix, Arizona 85003
Attorneys for IBEW Local 387

1
2 PROOF OF AND CERTIFICATE OF MAILING

3 I hereby certify that on this 12th day of July, 2010, I caused the foregoing document to
4 be served on the Arizona Corporation Commission by delivering the original and thirteen (13)
5 copies of the above to:

6 DOCKET CONTROL
7 Arizona Corporation Commission
8 1200 West Washington Street
9 Phoenix, Arizona 85007

10 With a copy emailed this
11 12th day of July, 2010 to:

12 Yvette B. Kinsey, Administrative Law Judge
13 Hearing Division
14 Arizona Corporation Commission
15 1200 West Washington
16 Phoenix, AZ 85007

17 Robin Mitchell, Esq.
18 Legal Counsel, Legal Division
19 Arizona Corporation Commission
20 1200 West Washington
21 Phoenix, AZ 85007

22 Steven M. Olea, Director
23 Utilities Division
24 Arizona Corporation Commission
25 1200 West Washington
Phoenix, AZ 85007

By 

109\12-15-3 ACC Finance App 33 mil\Pleadings\Stipulation to Vacate Hrg 7-12-10